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7 Attorneys for Defendant  
24 HOUR FITNESS USA, INC.  
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9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**

11  
12 ALBERT ALATORRE, an individual, and on  
Behalf of all Others Similarly Situated,

13 Plaintiffs,

14 vs.

15 24 HOUR FITNESS USA, INC.,

16 Defendant.  
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CASE NO. 11-CV-04318-JCS

**STIPULATED SCHEDULING ORDER  
RE PLAINTIFF'S MOTION FOR  
PRELIMINARY APPROVAL OF  
CLASS ACTION SETTLEMENT**

1 WHEREAS, on October 21, 2011, the Court heard argument on Plaintiff's Motion for  
2 Preliminary Approval of Class Action Settlement;

3 WHEREAS, on October 21, 2011, the parties requested that they be permitted to provide  
4 additional briefing on issues raised by the Court;

5 WHEREAS, on October 21, 2011, the Court entered a Minute Order directing the parties to  
6 submit a joint proposed briefing schedule;

7 IT IS HEREBY STIPULATED THAT:

8 1. The parties shall submit a joint supplemental brief in support of Plaintiff's Motion for  
9 Preliminary Approval of Class Action Settlement on or before November 9, 2011.

10 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

11 Respectfully submitted,

12 DATED: October 24, 2011

**KIRKLAND & ELLIS LLP**

13 By: /s/ Elizabeth L. Deeley

14 Elizabeth L. Deeley  
15 Nickolas A. Kacprowski  
Adam W. Holbrook

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19 Attorneys for Defendant  
20 24 HOUR FITNESS USA, INC.

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1 DATED: October 24, 2011

**WASSERMAN, COMDEN, CASSELMAN  
& ESENSTEN, L.L.P.**

3 By: /s/ Melissa M. Harnett

4 Melissa M. Harnett  
5 Robert L. Esenten  
6 Gregory B. Scarlett

7 WASSERMAN, COMDEN, CASSELMAN  
8 & ESENSTEN, L.L.P.

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14 Attorneys for Plaintiffs  
15 ALBERT ALATORRE and on behalf of others  
16 similarly situated

17 DATED: October 24, 2011

**KELLER GROVER, LLP**

18 By: /s/ Jeffrey F. Keller

19 Jeffrey F. Keller\*  
20 Kathleen R. Scanlan

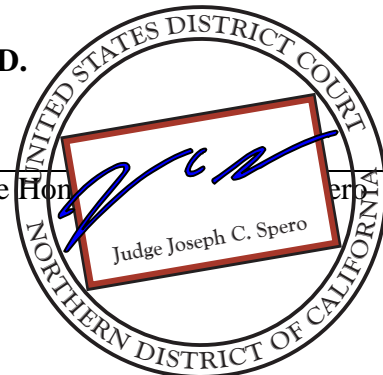
21 KELLER GROVER, LLP  
22 1965 Market Street, 3<sup>rd</sup> Floor  
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24 Telephone: (415) 543-1305  
25 Facsimile: (415) 543-7861

26 Attorneys for Plaintiffs  
27 ALBERT ALATORRE and on behalf of others  
28 similarly situated

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

29 DATED: October 25, 2011

The Hon



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\* I, Elizabeth L. Deeley, am the ECF user whose ID and password are being used to file this Stipulated Scheduling Order Re Plaintiff's Motion for Preliminary Approval of Class Action Settlement. In compliance with General Order 45, X.B., I hereby attest that the following attorneys have concurred in this filing: Melissa M. Harnett, Robert L. Esenten, Gregory B. Scarlett, Jeffrey F. Keller and Kathleen R. Scanlan Counsel for Plaintiff Albert Alatorre and on behalf of others similarly situated.

**CERTIFICATE OF SERVICE**

The undersigned hereby certify that all counsel of record who have consented to electronic service are being served with a copy of the attached STIPULATED SCHEDULING ORDER RE PLAINTIFF'S MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT via the CM/ECF system on October 24, 2011.

DATED: October 24, 2011

By: /s/ Elizabeth L. Deeley  
Elizabeth L. Deeley